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OBCO #11

Kreisler 1092-KGB
001394us/JH/be

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS : GERD HOBOM ET AL.
SERIAL NO. : 09/909,238
FILED : July 19, 2001
FOR : RECOMBINANT INFLUENZA VIRUSES WITH BICISTRONIC
vRNAs CODING FOR TWO GENES IN TANDEM
ARRANGEMENT
ART UNIT : 1614
EXAMINER : TO BE ASSIGNED

June 19, 2002

Hon. Commissioner of Patents
Washington, D.C. 20231

**RESPONSE TO NOTICE REGARDING
THE SEQUENCE LISTING**

SIR:

In response to the above-identified notice, a copy of which is attached, please amend the
above-identified application as follows:

IN THE SEQUENCE LISTING:

Replace page 2 of the paper Sequence Listing by the attached replacement page 2.

REMARKS

The above-identified notice indicated a defect in the Location Feature of SEQ ID NO.: 7, and required that Applicants submit:

- 1) A substitute paper copy of the Sequence Listing;
- 2) A substitute computer readable form (CRF) copy of the paper Sequence Listing; and
- 3) A statement that the content of the paper Sequence Listing and the computer readable copies are the same and include no new matter.

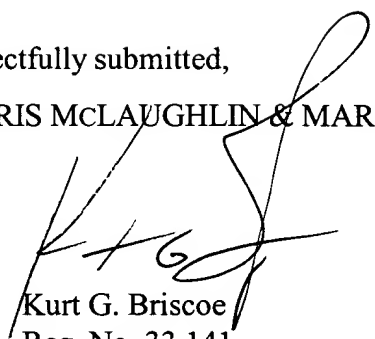
In response, there is attached a substitute paper copy of the Sequence Listing, which is in the form of replacement page 2 of the Sequence Listing, and contains the correction in the Location Feature of SEQ ID NO.: 7. The undersigned hereby certifies that the substitute paper copy of the Sequence Listing, and, specifically, replacement page 2 does not introduce new matter.

There is also attached a substitute computer readable form copy of the substitute paper Sequence Listing. The undersigned hereby certifies that the content of the substitute paper Sequence Listing and the substitute computer readable form copy is the same and includes no new matter.

Early and favorable action is earnestly solicited.

Respectfully submitted,
NORRIS McLAUGHLIN & MARCUS, P.A.

By



Kurt G. Briscoe
Reg. No. 33,141

220 East 42nd Street - 30th Floor
New York, New York 10017
Phone: (212) 808-0700
Fax: (212) 808-0844

CERTIFICATE OF MAILING

I hereby certify that the foregoing Response to Notice and accompanying Copy of the Notice, Substitute Paper Sequence Listing (1 page) and Computer Diskette are being deposited with the United States Postal Service as first class mail in an envelope addressed to: Hon. Commissioner of Patents, Washington, D.C. 20231, on the date indicated below:

Date: June 19, 2002

By



Kurt G. Briscoe



ER 16002980

Application Serial Number: 09/909,238A
Source: 1600
Date Processed by STIC: 2-28-2002

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Revised 01/29/2002



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PATENT APPLICATION: US/09/909,238A

DATE: 03/12/2002
TIME: 11:52:11

Input Set : A:\PTO_MS.txt
Output Set: N:\CRF3\03122002\I909238A.raw

**Does Not Comply
Corrected Diskette Needed**

3 <110> APPLICANT: Gerd HOBOM
4 Anette MENKE
5 Sabine MEYER-ROGGE
7 <120> TITLE OF INVENTION: Recombinant Influenza Viruses with Bicistronic vRNAs Coding
for Two Genes
8 in
9 Tandem Arrangement
11 <130> FILE REFERENCE: 001394us/JH/ml
13 <140> CURRENT APPLICATION NUMBER: US/09/909,238A
14 <141> CURRENT FILING DATE: 2001-07-19
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RAW SEQUENCE LISTING

DATE: 03/12/2002

PATENT APPLICATION: US/09/909,238A

TIME: 11:52:11

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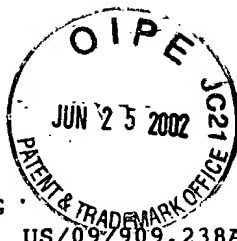
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range should include all 'n'

All 'n' must be included in the feature explanation.



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RAW SEQUENCE LISTING

DATE: 03/12/2002

PATENT APPLICATION: US/09/909,238A

TIME: 11:52:11

Input Set : A:\PTO_MS.txt

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RAW SEQUENCE LISTING

DATE: 03/12/2002

PATENT APPLICATION: US/09/909,238A

TIME: 11:52:11

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VERIFICATION SUMMARY.

PATENT APPLICATION: US/09/909,238A

DATE: 03/12/2002

TIME: 11:52:12

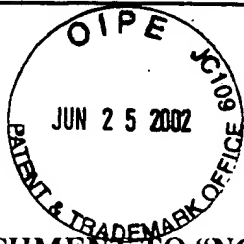
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L:152 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:11
L:166 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:12
L:197 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:14
L:215 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:15
L:233 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:16



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ATTACHMENT TO "NOTICE TO COMPLY WITH
REQUIREMENTS...SEQUENCE DISCLOSURES"

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1. Electronically submitted through EFS-Bio
(<http://www.uspto.gov/ebs/efs/downloads/documents.htm>, EFS Submission User Manual - ePAVE)
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Arlington, Virginia 22202